

Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Perdue Farms Incorporated
Facility Name: Perdue Farms Incorporated
Facility Location: 22520 Lankford Highway, Route 13 South
Accomac, Virginia 23301

Registration Number: 40483
Permit Number: TRO40483

February 21, 2006

Effective Date

February 20, 2011

Expiration Date

(for)

Director, Department of Environmental Quality

February 6, 2006

Signature Date

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I. Facility Information

Permittee

Perdue Farms Incorporated
22520 Lankford Highway, Route 13 South
Accomac, Virginia 23301

Responsible Official

Charles Carpenter
Complex Manager, Accomac Complex

Steven L. Lester
Rendering Plant Manager

Facility

Perdue Farms Incorporated
22520 Lankford Highway, Route 13 South
Accomac, Virginia 23301

Contact Person

Bruce Roberts
Environmental Manager
(757) 787-5210

County-Plant Identification Number: 51-001-00010

Facility Description:

NAICS 311999 – miscellaneous food manufacturing (poultry slaughtering and processing)
NAICS 311613 – rendering and meat byproduct processing

II. Emission Units

Equipment to be operated consists of:

Emission Unit Id.	Stack Id.	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD Id.	Pollutant Controlled	Applicable Permit Date
POULTRY PROCESSING PLANT							
ES1	EP1	Cleaver Brooks Boiler CB600, #6 fuel oil-fired, manufactured before 1971	29 million Btu/hr				
ES2	EP2	Cleaver Brooks Boiler CB600, #6 fuel oil-fired, manufactured before 1971	29 million Btu/hr				
ES3	EP3	Feather Singer					03/15/2005
ES4	EP4	Feather Singer					03/15-2005
ES5	EP5	Ammonia Refrigeration System; compressor room air exhaust					
WASTEWATER TREATMENT PLANT							
ES6	EP6	Bulk storage silo for dry lime					

BY PRODUCTS PROTEIN CONVERSION PLANT							
ES7	EP7	Cleaver Brooks Boiler DL-68, #6 fuel oil-fired, manufactured before 1974	65 million Btu/hr				03/15/2005
ES9	EP9	Cleaver Brooks Boiler CB 800, #2 fuel oil/poultry fat-fired, manufactured in 1997	33.7 million Btu/hr				03/15/2005
ES10	EP10	Cleaver Brooks Boiler CB 800, #2 fuel oil/poultry fat-fired, manufactured in 1997	33.7 million Btu/hr				03/15/2005
ES8	EP8	Cleaver Brooks Boiler CB 750, #2 fuel oil/poultry fat-fired, manufactured in 1981	31.6 million Btu/hr				03/15/2005
ES11	ES11A	Protein Plant – house air		Packed tower	CD11A		03/15/2005
ES11	ES11B	Protein Plant – house air		Packed tower	CD11B		03/15/2005
ES12	EP12	Protein Plant – production equipment		DFS system	CD12		03/15/2005
GENERAL							
ES13	EP13	Diesel Generator	2,593 hp; 1,825 KW				03/15/2005

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Boiler Requirements (existing sources) – Emission Units ES1 and ES2

A. Limitations

1. Particulate Matter (PM) emissions from Units ES1 and ES2, each, shall not exceed the following limits:

PM 7.8 lbs/hr

The maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio. The maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be determined by the following equation: $E = 1.0906H^{-0.2594}$, where H is the total capacity in millions of Btu per hour.

(9 VAC 5-40-900 and 9 VAC 5-80-110)

2. Sulfur Dioxide (SO₂) emissions from Units ES1 and ES2, each, shall not exceed the following limits:

SO₂ 76.6 lbs/hr

The emission rate in lbs/hr shall be determined by the following equation: $S = 2.64 K$, where S = allowable emission of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour.

(9 VAC 5-40-930 A and 9 VAC 5-80-110)

3. No owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than twenty (20) percent opacity, except for one six-minute period in any one hour of not more than sixty (60) percent opacity. Failure to meet the requirements of this condition because of the presence of water vapor shall not be a violation of this condition.
(9 VAC 5-40-80 and 9 VAC 5-80-110)
4. At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions.
(9 VAC 5-40-20 E and 9 VAC 5-80-110)
5. The approved fuel for the boilers (emission units ES1 and ES2) is No. 6 fuel oil.
(9 VAC 5-80-110)

B. Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
 - a. Types of fuel combusted in the boilers (emission units ES1 and ES2);
 - b. Annual throughput of each fuel type combusted in each boiler (emission units PB1 and PB2), calculated monthly as the sum of each consecutive 12-month period;
 - c. Certification from the fuel supplier with each shipment of oil, identifying the sulfur content of the fuel;
 - d. The DEQ-approved, pollutant-specific emission factors and equations used to determine compliance with the emission limits; and,
 - e. Records of visual evaluations and visible emissions evaluations conducted, and any corrective action taken.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-40-50 and 9 VAC 5-80-110)

IV. Boiler and Generator Requirements – Emission Units ES7, ES8, ES9, ES10, and ES13

A. Limitations

1. **Operating Hours** – The generator shall not operate more than 407 equivalent full load (prime power) operating hours per year, calculated monthly as the sum of each consecutive 12-month period.

(9 VAC 5-80-110 and Condition 3 of the NSR/NSPS permit issued March 15, 2005)

2. **Fuel** - The approved fuels for the 31.6 million Btu/hr boiler (emission unit ES8) and the two 33.7 million Btu/hr boilers (emission units ES9 and ES10) are distillate oil and poultry fat. The approved fuel for the 65 million Btu/hr boiler (emission unit ES7) is residual oil. A change in the fuels may require a permit to modify and operate.

(9 VAC 5-80-110 and Condition 4 of the NSR/NSPS permit issued March 15, 2005)

3. **Fuel** - The distillate oil, residual oil, diesel fuel, and poultry fat shall meet the specifications below:

DISTILLATE OIL which meets the ASTM specifications for numbers 1 or 2 fuel oil
Maximum sulfur content per shipment: 0.5%

RESIDUAL OIL which meets the ASTM specifications for numbers 4, 5, or 6 fuel oil
Maximum sulfur content per shipment: 1.4%

DIESEL FUEL which meets ASTM specifications for numbers 1 or 2 fuel oil:
Maximum sulfur content per shipment: 0.05%

POULTRY FAT which is an oil produced as a by-product of poultry processing

(9 VAC 5-80-110, 40 CFR 60.42c(d), and Condition 5 of the NSR/NSPS permit issued March 15, 2005)

4. **Fuel Certification** - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil and residual oil. Each fuel supplier certification shall include the following:

- a. The name of the fuel supplier;
- b. The date on which the distillate oil and/or residual oil was received;
- c. The volume of distillate oil and/or residual oil delivered in the shipment;

- d. A statement that the distillate oil complies with the American Society for Testing and Materials specification for numbers 1 or 2 fuel oil:
- e. A statement that the residual oil complies with the American Society for Testing and Materials specification for number 4, 5, or 6 fuel oil; and,
- f. The sulfur content of the oil received in the shipment.

(9 VAC 5-80-110, 40 CFR 60.47c(f), and Condition 6 of NSR/NSPS permit issued March 15, 2005)

- 5. **Fuel Analysis** - The permittee shall sample the poultry fat storage tank, from which poultry fat is used for boiler fuel, at least once per calendar month when poultry fat is used for boiler fuel. The sample shall be collected and analyzed, using EPA approved methods, to determine a Btu value and sulfur content of the poultry fat.
(9 VAC 5-80-110 and Condition 7 of NSR/NSPS permit issued March 15, 2005)
- 6. **Emission Limits** - Emissions from the operation of each 33.7 million Btu/hr boiler (emission units ES9 and ES10) shall not exceed the limits specified below:

Particulate Matter	2.6 lbs/hr
Sulfur Dioxide	17.0 lbs/hr
Nitrogen Oxides (as NO ₂)	5.5 lbs/hr
Carbon Monoxide	1.2 lbs/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers A.2, A.3, A.4, A.5, and A.11 of this section.

(9 VAC 5-80-110 and Condition 8 of NSR/NSPS permit issued March 15, 2005)

- 7. **Emission Limits** - Emissions from the operation of the 31.6 million Btu/hr boiler (emission unit ES8) shall not exceed the limits specified below:

Particulate Matter	2.4 lbs/hr
Sulfur Dioxide	15.9 lbs/hr
Nitrogen Oxides (as NO ₂)	5.2 lbs/hr
Carbon Monoxide	1.1 lbs/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers A.2, A.3, A.4, A.5, and A.12 of this section.

(9 VAC 5-80-110 and Condition 9 of NSR/NSPS permit issued March 15, 2005)

8. **Emission Limits** - Emissions from the operation of the 65 million Btu/hr boiler (emission unit ES7) shall not exceed the limits specified below:

Particulate Matter	7.0 lbs/hr
PM10	6.0 lbs/hr
Sulfur Dioxide	95.2 lbs/hr
Nitrogen Oxides (as NO ₂)	23.8 lbs/hr
Carbon Monoxide	2.2 lbs/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers A.2, A.3, A.4, and A.13 of this section.

(9 VAC 5-80-110 and Condition 10 of NSR/NSPS permit issued March 15, 2005)

9. **Emission Limits** - Emissions from the operation of the generator (emission unit ES13) shall not exceed the limits specified below:

Particulate Matter	0.48 lbs/hr
Sulfur Dioxide	0.86 lbs/hr
Nitrogen Oxides (as NO ₂)	52.90 lbs/hr
Carbon Monoxide	0.97 lbs/hr
Volatile Organic Compounds	0.97 lbs/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers A.1, A.2, A.3, A.4, A.14, and C.1 of this section.

(9 VAC 5-80-110 and Condition 11 of NSR/NSPS permit issued March 15, 2005)

10. **Facility-wide Emission Limits** - Total emissions from the operation of the rendering plant and generator shall not exceed the limits specified below:

Particulate Matter	21.5 tons/yr
PM-10	16.6 tons/yr
Sulfur Dioxide	302.3 tons/yr
Nitrogen Oxides (as NO ₂)	106.3 tons/yr
Carbon Monoxide	17.8 tons/yr
Volatile Organic Compounds	0.8 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits shall be determined as stated in Condition numbers A.1, A.2, A.3, A.4, A.5, A.11, A.12, A.13, A.14, and C.1 of this section.

(9 VAC 5-80-110 and Condition 12 of NSR/NSPS permit issued March 15, 2005)

11. **Visible Emission Limit** - Visible emissions from each of the two 33.7 million Btu/hr distillate oil/poultry fat-fired boiler stacks (emission units ES9 and ES10) shall not exceed 10 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110, 40 CFR 60.43c(c), 40 CFR 60.43c(d), and Condition 13 of NSR/NSPS permit issued March 15, 2005)
12. **Visible Emission Limit** - Visible emissions from the 31.6 million Btu/hr distillate oil/poultry fat-fired boiler stack (emission unit ES8) shall not exceed 10 percent opacity during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110 and Condition 14 of NSR/NSPS permit issued March 15, 2005)
13. **Visible Emission Limit** - Visible emissions from the 65 million Btu/hr residual oil-fired boiler stack (emission unit ES7) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110 and Condition 15 of NSR/NSPS permit issued March 15, 2005)
14. **Visible Emission Limit** - Visible emissions from the generator stack (emission unit ES13) shall not exceed 5 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110 and Condition 16 of NSR/NSPS permit issued March 15, 2005)
15. **Operating Standards** - At all times, including periods of startup, shutdown, soot blowing, and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility in a manner consistent with air pollution control practices for minimizing emissions.
(9 VAC 5-80-110 and Condition 17 of NSR/NSPS permit issued March 15, 2005)

16. **Operating and Training Procedures** - Boiler and generator emissions shall be controlled by proper operation and maintenance. Boiler and generator operators shall be trained in the proper operation of all such equipment. Training shall consist of a review and familiarization of the manufacturer's operating instructions, at minimum. (9 VAC 5-80-110 and Condition 19 of NSR/NSPS permit issued March 15, 2005)
17. **Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary, to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated. (9 VAC 5-80-110 and Condition 30 of NSR/NSPS permit issued March 15, 2005)
18. **Maintenance/Operating Procedures** - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Maintain an inventory of spare parts.
 - c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at minimum.
 - d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training, and the nature of the training.
- (9 VAC 5-80-110 and Condition 31 of NSR/NSPS permit issued March 15, 2005)
19. **Registration/Update** - Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact. The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.1-340 through 2.1-348 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information. (9 VAC 5-80-110 and Condition 34 of NSR/NSPS permit issued March 15, 2005)

B. Continuing Compliance Determination

1. **Stack Tests** - Upon request by the DEQ, the permittee shall conduct additional performance tests for criteria pollutants from each boiler stack to demonstrate compliance with the emission limits contained in Section IV.A of this permit. The details of these tests shall be arranged with the Tidewater Regional Office.
(9 VAC 5-80-110 and Condition 20 of NSR/NSPS permit issued March 15, 2005)
2. **Visible Emissions Evaluations** - Upon request by the DEQ, the permittee shall conduct additional visible emissions evaluations from each boiler or generator stack to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Tidewater Regional Office.
(9 VAC 5-80-110 and Condition 21 of NSR/NSPS permit issued March 15, 2005)

C. Recordkeeping and Reporting

1. **On-Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Tidewater Regional Office. These records shall include, but are not limited to:
 - a. Monthly emission calculations for the rendering plant for all pollutants listed in Condition IV.A.10. The annual emissions shall be calculated as the sum of each consecutive 12-month period. The permittee shall maintain and utilize DEQ-approved, pollutant specific emission factors on site for the calculation of these emissions.
 - b. All fuel supplier certifications, showing the sulfur content of the fuel received.
 - c. The date received and the volume delivered for each shipment of distillate oil and residual oil.
 - d. Poultry fat product sample collection and analyses.
 - e. Annual hours of operation for the generator (emission unit ES13).
 - f. Scheduled and unscheduled maintenance.
 - g. Operator training required by Condition IV.A.16 and 18. These records shall include a statement of time, place, and nature of training provided.
 - h. Written operating procedures for the boilers, and a maintenance schedule. These procedures shall be based on the manufacturer's recommendations, at minimum.

These records shall be available onsite for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110, and Conditions 19 and 22 of the NSR/NSPS permit issued March 15, 2005)

2. **Semi-Annual Reports** - The permittee shall submit fuel quality reports to the Tidewater Regional Office within 30 days after the end of each semi-annual period. If no shipments of distillate oil were received during the semi-annual period, the semi-annual report shall consist of the dates included in the semi-annual period and a statement that no oil was received during the semi-annual period. If distillate oil was received during the semi-annual period, the reports shall include:
 - a. Dates included in the semi-annual period;
 - b. A copy of all fuel supplier certifications for all shipments of distillate oil received during the semi-annual period or a semi-annual summary from each fuel supplier that includes the information specified in Condition IV.A.4 for each shipment of distillate oil; and,
 - c. A signed statement from the owner or operator of the facility that the fuel supplier certifications or summaries of fuel supplier certifications represent all of the distillate oil burned or received at the facility.

(9 VAC 5-80-110, 40 CFR 60.48c(d), and Condition 23 of NSR/NSPS permit issued March 15, 2005)

V. Bulk Storage Silo and Protein Plant Requirements - Emission Units ES6, ES11, and ES12

A. Limitations

1. No owner or other person shall cause or permit to be discharged into the atmosphere from any process unit any particulate emissions in excess of the limits in Table 4-4A of 9 VAC 5-40-260.
(9 VAC 5-40-260 and 9 VAC 5-80-110)
2. The total process weight rate for each individual process unit at a plant or premises shall be used for determining the maximum allowable emission rate of particulate that passes through a stack or stacks.
(9 VAC 5-40-22 C.1., 9 VAC 5-40-260 B and 9 VAC 5-80-110)
3. Unless otherwise specified, the allowable particulate mass emission rate shall be determined for individual units of equipment.
(9 VAC 5-40-22 C.2., 9 VAC 5-40-260 B and 9 VAC 5-80-110)
4. The particulate emission limit above the maximum process weight rate shall be determined by linear interpolation. For interpolation between two values on a process weight rate table the following equation should be used:

$$E = [E_G - E_L] \left[\frac{P - P_L}{P_G - P_L} \right] + E_L$$

where:

E = emission rate being calculated

E_L = emission rate for P_L as determined from the process weight rate table

E_G = emission rate for P_G as determined from the process weight rate table

P = process weight rate of the unit

P_L = process weight rate in the process weight rate table which is closest to but less than the process weight rate of the unit

P_G = process weight rate listed in the process weight rate table which is closest to but greater than the process weight rate of the unit

(9 VAC 5-40-22 C.3., 9 VAC 5-40-260 B and 9 VAC 5-80-110)

5. Where the nature of any process or design of any equipment is such as to permit more than one interpretation of a regulation, the interpretation that results in the minimum value for allowable emissions shall apply.
(9 VAC 5-40-22 C.4., 9 VAC 5-40-260 B and 9 VAC 5-80-110)

6. Interpolation of the data in 9 VAC 5-40-260 A (Table 4-4A) for process weight rates up to 60,000 lb/hr shall be accomplished by use of the following equation:

$$E = 4.10P^{0.67}$$

where:

E = emission rate in lb/hr

P = process weight rate in tons/hr

(9 VAC 5-40-260 C and 9 VAC 5-80-110)

7. Interpolation and extrapolation of the data for process weight rates in excess of 60,000 lb/hr shall be accomplished by use of the following equation:

$$E = 55.0P^{0.11} - 40$$

where:

E = emission rate in lb/hr

P = process weight rate in tons/hr

(9 VAC 5-40-260 D and 9 VAC 5-80-110)

8. No owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than twenty (20) percent opacity, except for one six-minute period in any one hour of not more than thirty (30) percent opacity. Failure to meet the requirements of this condition because of the presence of water vapor shall not be a violation of this condition.
(9 VAC 5-50-80 and 9 VAC 5-80-110)

9. The opacity standard shall apply at all times except during periods of startup, shutdown, and malfunction and as otherwise provided in an applicable standard.
(9 VAC 5-50-20 A.3 and 9 VAC 5-80-110)

10. At all times, including periods of startup, shutdown and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions.
(9 VAC 5-50-20 E and 9 VAC 5-80-110)

B. Monitoring

1. The permittee shall perform a determination of compliance with the process weight rate emission standard listed in Table 4-4A of 9 VAC 5-40-260 for Emission Units ES6, ES11 and ES12 either annually (within 12 calendar months of the last determination) or each time the process weight rate changes, whichever occurs first.
(9 VAC 5-80-110 E)

C. Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
 - a. Annual or subsequent process weight rate emission limit determinations; and,
 - b. Records of visual evaluations and visible emissions evaluations conducted, and any corrective action taken.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50 and 9 VAC 5-80-110)

VI. Facility Wide Conditions

A. Limitations

1. At all times, the disposal of volatile organic compounds shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.
(9 VAC 5-50-20 F and 9 VAC 5-80-110)

2. Particulate Matter emissions from any fuel burning equipment installation (units ES1, ES2, ES7, ES8, ES9, and ES10, combined) shall not exceed the following limit:

PM 0.27 lbs/million Btu input

The maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio. The maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be determined by the following equation: $E = 1.0906H^{-0.2594}$, where H is the total capacity in millions of Btu per hour.

(9 VAC 5-40-900, 9 VAC 5-50-10 D, and 9 VAC 5-80-110)

3. Sulfur Dioxide emissions from any fuel burning equipment installation (units ES1, ES2, ES7, ES8, ES9, and ES10, combined) shall not exceed the following limit:

SO₂ 586.1 lbs/hr

The maximum emissions shall be determined by the following equation: $S = 2.64 K$, where S = allowable emission of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour.

(9 VAC 5-40-930, 9 VAC 5-50-10 D, and 9 VAC 5-80-110)

B. Monitoring

1. The permittee shall perform periodic visual evaluations of each significant emissions unit stack once each calendar week for compliance with opacity standards for each individual unit. If such periodic evaluations indicate any opacity condition, the permittee shall take appropriate action to correct the cause of the opacity such that no visible emissions exist. If such corrective action fails to correct the problem, the permittee shall conduct a visible emissions evaluation (VEE) utilizing EPA Method 9 (reference 40 CFR 60, Appendix A). If a Method 9 evaluation and/or corrective action becomes necessary, the permittee shall record the details of the incident in a logbook. The logbook shall be kept on site and available for inspection by the DEQ for the most recent five (5) year period.
(9 VAC 5-80-110E)

C. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-40-30, 9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 24 of NSR/NSPS permit issued March 15, 2005)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

The following table is only required for those pollutants that have emission limits.

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO _x	EPA Method 7
SO ₂	EPA Method 6
CO	EPA Method 10
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

VII. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
Poultry Feather Singers (lpg consumption)	9 VAC 5-80-720 C.2.a.	NO _x	4.4 million Btu/hr

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VIII. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	The requirements of this regulation do not apply to Emission Units ES1, ES2, ES7, and ES8; these units were constructed prior to the applicability date of the NSPS.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

IX. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.
(9 VAC 5-80-110 F)
2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-110 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
 - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.
7. One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.
(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Tidewater Regional Office, within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3. of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Tidewater Regional Office, by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.

(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.

(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.

(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.

(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E and 9 VAC 5-40-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1. (9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.

- c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
 - e. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
 - f. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.
- (9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

X. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

1. 9 VAC 5, Chapter 40, Part II, Article 2: Emissions Standards for Odor
2. 9 VAC 5, Chapter 50, Part II, Article 2: Standards of Performance for Odorous Emissions
3. 9 VAC 5, Chapter 60, Part II, Article 4: Emission Standards for Toxic Pollutants from Existing Sources
4. 9 VAC 5, Chapter 60, Part II, Article 5: Emission Standards for Toxic Pollutants from New and Modified Sources
(9 VAC 5-80-110 N and 9 VAC 5-80-300)